

Message Text

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AMCONSUL CALCUTTA

AMCONSUL MADRAS

UNCLAS NEW DELHI 1870

E.O. 11652: N/A

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SUBJECT: DECEMBER'S THREE PRESS ORDINANCES ADOPTED BY INDIAN
PARLIAMENT

REF: 75 NEW DELHI 16487

SUMMARY: ALL THREE PRESS ORDINANCES SIGNED BY THE
PRESIDENT AND PROMULGATED ON DECEMBER 8, 1975, HAVE NOW BEEN
VOTED INTO LAW BY PARLIAMENT. END SUMMARY.

1. THE PRESS COUNCIL (REPEAL) ACT: (PASSED LOK SABHA JAN 28,
RAJYA SABHA FEB 2) IN PRESENTING THIS BILL TO THE LOK SABHA
(LOWER HOUSE), INDIA'S MINISTER FOR INFORMATION AND BROADCASTING,
V C SHUKLA ARGUED THAT THE 10 YEAR OLD PRESS COUNCIL HAD BEEN
INEFFECTUAL AND MUST BE ABOLISHED BECAUSE IT DID NOT "ASSERT
ITSELF AND TAKE ACTION AGAINST NEWSPAPERS SCUTTling DEMOCRACY
AND INDULGING IN SCURRILOUS AND IRRESPONSIBLE WRITING."

SPEAKING FOR THE OPPOSITION, ERASMO DE SEQUEIRA (BLD),
MAINTAINED THAT "IF THE PRESS COUNCIL HAD NOT BEEN EFFECTIVE
AGAINST IRRESPONSIBLE JOURNALISM, THE CORRECT COURSE
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WOULD HAVE BEEN TO STRENGTHEN RATHER THAN ABOLISH IT."

2. SHUKLA TOLD THE RAJAYA SABHA "THE GOVERNMENT HAD DECIDED TO ABOLISH THE PRESS COUNCIL IN ORDER TO CREATE A MORE EFFECTIVE AND INDEPENDENT ORGANIZATION TO ENSURE THE FREEDOM OF THE PRESS." KRISHNA KANT'S (IND) MOTION TO REJECT THE BILL WAS DEFEATED AS WAS ANOTHER BY DR. MATHEW KURIAN (CPI-M), WHO OBSERVED THAT "NOBODY PREVENTED THE GOVERNMENT FROM GIVING ADEQUATE POWERS TO THE PRESS COUNCIL," TO ACHIEVE WHAT SHUKLA SAID WAS ITS PRUPOSE.

3. PARLIAMENTARY PROCEEDINGS (PROTECTION) REPEAL ACT:

IN PRESENTING THIS BILL TO THE LOK SABHA JANUARY 28 SHUKLA ARGUED TEDITOR'S HAD BEEN ABUSING THE IMMUNITY PROVIDED BY THE ORIGINAL ACT FOR THE PAST 20 YEARS, AND THIS "BILL WAS AIMED AT CHECKING THE TENDENCY OF PLAYING UP MALICIOUS AND POLITICALLY MOTIVATED CHARGES." HE SAID IT WOULD ONLY AFFECT THOSE "WHO GIVE CURRENCY TO FALSEHOOD, RUMOURS AND SENSATIONAL HAPPENINGS HAVING NO BASIS." RATHER THAN DAMAGE PARLIAMENTARY LIFE, HE MAINTAINED, "IT WOULD GIVE IMPETUS TO HEALTHY JOURNALISM." THE MAIN OPPOSITION IN THE LOWER HOUSE CAME FROM PROF. HIREN MUKERJEE AND S.M. BANERJEE (BOTH CPI). MUKERJEE STATED THAT "WHAT HAPPENS IN PARLIAMENT HAS TO BE MADE KNOWN TO THE PEOPLE OF THIS COUNTRY." DESPITE ITS FAULTS, HE MAINTAINED, THE PRESS "HAD AT LEAST BEEN ABLE TO REPORT BACK TO THE PEOPLE WHAT PARLIAMENT WAS TRYING TO DO."

4. THE RAJYA SABHA TOOK UP THE BILL ON FEBRUARY 2. THE UPPER HOUSE REJECTED A STATUTORY RESOLUTION SEEKING DISAPPROVAL OF THE ORDINANCE MOVED BY MR. BHUPESH GUPTA (CPI) AND THREE OTHERS, AND WENT ON TO APPROVE THE BILL.

5. THE PREVENTION OF PUBLICATION OF OBJECTIONABLE MATTER BILL:
(PASSED LOK SABHA JAN 29 AND RAJYA SABHA FEB 4)

A MOTION TO DISALLOW THE BILL PROPOSED BY E. DE SEQUEIRA (BLD), AND AN EMDMENT BY S M BANERJEE (CPI) TO CIRCULATE THE BILL "FOR ELICITING PUBLIC OPINION" WERE BOTH DEFEATED IN THE LOK SABHA. IN RESPONSE TO OPPOSITION CHARGES THAT THE BILL WAS AN ATTEMPT TO "MUZZLE THE PRESS,"

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SHUKLA SAID THAT ITS INTENT WAS RATHER TO "PROMOTE THE GROWTH OF A HEALTHY PRESS AND MERELY CONTAIN YELLOW JOURNALISM." HE ASSURED THE HOUSE THAT THERE WOULD BE "FULL FREEDOM FOR CRITICISM... WHICH IS NOT FALSE OR MALAFIDE."

6. ALTHOUGH THE BILL DREW SOME VOCAL OPPOSITION IN THE RAJYA SABHA, ALL MOVES TO AMEND OR DISALLOW IT WERE REJECTED AND IT WAS APPROVED FEBRUARY 4.

7. PRESS REACTION: THE NEWS OF PARLIAMENTARY APPROVAL
FOR THESE MEASURES HAS DRAWN LITTLE EDITORIAL
COMMENT, ALTHOUGH ASPECTS OF THE DEBATE NOTED ABOVE WERE
REPORTED. THE CONGRESS-ORIENTED NATIONAL HERALD GENERALLY
APPROVED THE ACTION BUT SAID IT WILL TAKE TIME TO SEE HOW
THE REGULATIONS WILL BE ENFORCED. ITS EDITORIAL CONCLUDED THAT
"IT IS USELESS TO ADMINISTER A HIPPOCRATIC OATH IN JOURNALISM."
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